

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

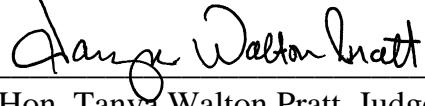
JOHN E.E. FRANKLIN,	)	
Plaintiff,	)	
	)	
vs.	)	1:12-cv-129-TWP-TAB
	)	
AMERICAN HERITAGE LIFE INSURANCE	)	
COMPANY,	)	
Defendant.	)	

**ADOPTION**

The Magistrate Judge submitted his Report and Recommendation on the parties' cross motions for summary judgment. Parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections. The Court, having considered the Magistrate Judge's Report, approves and adopts the Magistrate Judge's Report and Recommendation.

Defendant's motion for summary judgment [Docket No. 48] is therefore granted and Plaintiff's motion for summary judgment [Docket No. 60] is denied. Judgment shall issue accordingly.

DATED: 07/19/2013

  
\_\_\_\_\_  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

Copies to:

Lance V. Clack  
FIGARI & DAVENPORT, L.L.P.  
lance.clack@figdav.com

Steven Kenneth Huffer  
S.K. HUFFER & ASSOCIATES, P.C.  
steveh@hufferlaw.com

Andrew G. Jubinsky  
FIGARI & DAVENPORT, LLP  
andy.jubinsky@figdav.com

Dennis Francis McCrosson III  
MCCROSSON & ASSOCIATES  
dmccross@mccrossonlaw.com

Ryan S. McCrosson  
MCCROSSON & ASSOCIATES  
rmccrosson@mccrossonlaw.com